

RESOLUTION NO. A-_____

1 WHEREAS, The Corrected Final Plat of Edenton South 10th Addition was
2 previously approved by the City of Lincoln on September 10, 1997; and

3 WHEREAS, one of the conditions of approval of said Final Plat was the
4 Subdivision Ordinance requirement that a sidewalk be constructed in the pedestrian
5 way easement located on Outlot A at the same time as Culwells Court was paved;

6 WHEREAS, Edenton South Town Home Association ("Association") failed to
7 timely construct the sidewalk and has requested a modification to waive said
8 requirement pursuant to § 26.31.010 of the Lincoln Municipal Code; and

9 WHEREAS, the Planning Commission has reviewed said request and has
10 recommended that the waiver be denied. The Planning Commission has further
11 recommended that the Association be granted an extension of time for construction of
12 the sidewalk to four years from the date the City Council acts upon the requested
13 waiver; and

14 WHEREAS, the City Council finds that the strict application of all requirements of
15 the final plat would not result in actual difficulties or substantial hardship or injustice to
16 the property owner and, therefore, the requested waiver should not be granted.

17 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
18 Lincoln, Nebraska:

19 That the Association's request to waive the condition of approval of the
20 Corrected Final Plat of Edenton South 10th Addition requiring the installation of a

1 pedestrian sidewalk in the pedestrian way easement in Outlot A, Corrected Plat of
2 Edenton South 10th Addition, is hereby denied.

3 BE IT FURTHER RESOLVED that the Association is hereby granted an
4 extension of time to allow the pedestrian sidewalk to be installed no later than four
5 years following the date of approval of this resolution.

6 All other conditions for approval of the Corrected Final Plat of Edenton South
7 10th Addition shall remain in full force and effect.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2004:

Mayor